

THE CITY OF CLAYTON

Board of Aldermen
City Hall – 10 N. Bemiston Avenue
May 12, 2015
7:00 p.m.

Minutes

Mayor Sanger called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Cynthia Garnholz, Mark Winings, Alex Berger III, and Ira Berkowitz.

Mayor Sanger
City Manager Owens
City Attorney O'Keefe

Absent: Joanne Boulton and Rich Lintz.

Alderman Winings moved to approve the April 28, 2015 (1st and 2nd meeting) minutes. Alderman Berger seconded.

The motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

None

Mayor Sanger presented a proclamation in recognition of Public Work's Week , May 17-23, 2015.

AN ORDINANCE(S) TO CONSIDER APPROVING REZONING AND A PLANNED UNIT DEVELOPMENT FOR THE VANGUARD CLAYTON PROJECT LOCATED AT 8500 MARYLAND AVENUE

City Manager Owens reported that this is a public hearing to solicit input regarding a proposed rezoning and related Planned Unit Development (PUD) to be granted to Covington Realty Partners for a mixed-use development to be known as Vanguard Clayton at 8500 Maryland Avenue. The 2.4-acre site, located along the western city limits (southwest corner of Maryland Avenue and Gay Avenue), has a zoning designation of S-1 Service District and is located in the Maryland Gateway Overlay District. The property is improved with a 61,778-square foot, two-story office building constructed in 1975 and most recently occupied by Brown Shoe Company.

The Plan Commission considered this request at their meeting of April 6, 2015, and voted to recommend approval of the rezoning and Planned Unit Development to the Board of Aldermen subject to the following conditions:

1. That the parking spaces be unreserved.
2. That the ground level live/work units be engineered to allow feasible conversion to retail space as needed.
3. That the applicant revise the plans to show the western most landscape bed and benches on Maryland Avenue relocated outside of the public right-of-way, and the proposed streetscape curb line on Maryland Avenue be adjusted to run parallel to the front property line, to be approved by staff prior to consideration by the Board of Aldermen.

4. That the approved development plan and Planned Unit Development Ordinance be recorded with St. Louis County and proof of recording be submitted to the City prior to the issuance of a Building Permit.
5. Substitute American Holly for Foster Holly in landscape plans.
6. Diversify the shrub species in a manner approved by city staff to reduce predominance of just two species.
7. Install raised landscape beds along the eastern elevation
8. Consider revising the plant species in the water quality basin and include trees such as Cypress.
9. Diversify the tree species and add canopy trees along the western property line.

The architectural elements of the project were considered and approved by the Architectural Review Board at their meeting of May 4, 2015.

Recommendation is to approve the rezoning and Planned Unit Development ordinances per the conditions contained within.

Alderman Winings recused himself from the meeting.

David Braswell, Covington Realty Partners, 135 N. Meramec Avenue, addressed the Board providing a PowerPoint presentation and summarizing the overall project. He noted that they have accepted the recommended changes by the Plan Commission/Architectural Review Board.

In response to Alderman Garnholz's question, Mr. Braswell stated that rent structure is as follows: 1 bedroom - \$1,500 - \$1,800; 2 bedroom - \$2,200 - \$2,500; and 3 bedrooms - \$3,400 - \$3500.

In response to Mayor Sanger's question, Mr. Braswell stated that the 1 bedroom units are approximately 658 square feet; 2 bedroom – 1352 square feet; and 3 bedrooms – 3400-3500 square feet. The attracting market is 25-40 year olds; young professionals; married couples; and/or empty nesters. The complex has a 12, 3 bedroom units and therefore they do not expect a large number of families with children.

In response to Alderman Berger's question, Mr. Braswell stated that the project is 75% brick and 25% stucco material.

In response to Alderman Berger's question regarding 50% retail requirement, Susan Istenes explained that the project is located in the Maryland Gateway District and that the applicant requested a deviation of the 50% requirement due to the elevation of the project. Staff felt that the intent was met because the ground level (retail) meets the retail frontage located on Maryland Avenue.

Mr. Braswell stated that the retail will not only service the building residents, but also all customers. They are providing customer parking inside the first level parking garage where customers will have use of the elevators to access the retail from the back or they can park on the street (much like The Crescent).

With regard to the storm water drainage, Mr. Braswell explained that at the request of MSD the project will collect the rainwater and direct it around the basin area.

Alderman Berger expressed his appreciation with regard to the turn-in lane on Gay Avenue, stating that this is a great project.

In response to Alderman Garnholz's question, Mr. Braswell stated that they will have 1.5 spaces per unit which works for the project. He noted that Lee Cannon of CBD provided the parking study. He also stressed that they will not be assigning parking spaces to the residents.

With regard to the leases, Mr. Braswell stated that they are requiring 12-month lease agreements to its residents.

In response to Alderman Berkowitz's question, Mr. Braswell stated that the color of the stucco in the presentation is incorrect. He stressed that the color will not be a bright white, but a more subtle (darker) color.

With regard to occupancy, Mr. Braswell stated that they expect 95% occupancy, averaging 300 – 350 people.

A student (name not audible) from the audience addressed the Board with concerns about the height of the lamp posts. Dale Houdeshell stated that the lamp posts will be 17 feet. Mayor Sanger added that the City requires all development projects to comply with the streetscape requirements.

With regard to the storm water issue, Mr. Braswell stated that the project includes a design for a rain garden.

Mayor Sanger closed the public hearing.

Alderman Garnholz introduced Bill No. 6491, an ordinance to consider rezoning at 8500 Maryland Ave. from the Maryland Gateway Overlay District and S-1 Service District to a Planned Unit Development District and providing a change in the zoning map to be read for the first time by title only. Alderman Berger seconded.

City Attorney O'Keefe reads Bill No. 6491, An Ordinance Providing For The Rezoning Of Certain Property Located At 8500 Maryland Avenue From The Maryland Gateway Overlay District And Base Zoning Designation Of S-1 Service District To A Planned Unit Development District, And Providing For The Change In The Zoning Map Of The City Of Clayton, Missouri; And Other Actions Related Thereto for the first time by title only.

The motion passed unanimously on a voice vote.

Mayor Sanger moved that the Board give unanimous consent to consideration for adoption of Bill No. 6491 on the day of its introduction. Alderman Garnholz seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6491, an ordinance to consider rezoning at 8500 Maryland Ave. from the Maryland Gateway Overlay District and S-1 Service District to a Planned Unit Development District and providing a change in the zoning map to be read for the second time by title only. Alderman Berger seconded.

City Attorney O'Keefe reads Bill No. 6491, An Ordinance Providing For The Rezoning Of Certain Property Located At 8500 Maryland Avenue From The Maryland Gateway Overlay District And Base Zoning Designation Of S-1 Service District To A Planned Unit Development District, And Providing For The Change In The Zoning Map Of The City Of Clayton, Missouri; And Other Actions Related Thereto for the second time by title only.

Alderman Garnholz – Aye; Alderman Berger – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6365 of the City of Clayton.

Alderman Garnholz introduced Bill No. 6492, an ordinance to consider approving the development plan of Covington Realty Partners for the Vanguard Clayton Project to be read for the first time by title only. Alderman Berger seconded.

City Attorney O’Keefe reads Bill No. 6492, An Ordinance Approving The Development Plan Of Covington Realty Partners For The Vanguard Clayton Project, Subject To The Requirements Set Forth In The Code Of Ordinances Of The City Of Clayton, Missouri; And Other Actions Related Thereto for the first time be title only.

The motion passed unanimously on a voice vote.

Mayor Sanger moved that the Board give unanimous consent to consideration for adoption of Bill No. 6492 on the day of its introduction. Alderman Garnholz seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6492, an ordinance to consider approving the development plan of Covington Realty Partners for the Vanguard Clayton Project to be read for the second time by title only. Alderman Berger seconded.

City Attorney O’Keefe reads Bill No. 6492, An Ordinance Approving The Development Plan Of Covington Realty Partners For The Vanguard Clayton Project, Subject To The Requirements Set Forth In The Code Of Ordinances Of The City Of Clayton, Missouri; And Other Actions Related Thereto for the second time be title only.

Alderman Garnholz – Aye; Alderman Berger – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6366 of the City of Clayton.

In response to Mayor Sanger’s question, Mr. Braswell stated that they are planning to begin work the first week of June and anticipates completion in 12 months.

Alderman Winings rejoined the Board.

A MOTION TO APPROVE A LIQUOR LICENSE UPGRADE FOR CRAFT BEER CELLAR, LLC AT 8113 MARYLAND AVENUE

City Manager Owens reported the request for a liquor license upgrade has been postponed.

AN ORDINANCE TO CONSIDER APPROVING A LOAN AGREEMENT WITH THE GATEWAY FOUNDATION FOR ARTWORK ENTITLED “ONE OF US ON A TRICYCLE”

City Manager Owens reported that at the April 27, 2015, meeting, the Public Art Advisory Committee (PAAC) voted unanimously to recommend to the Board of Aldermen that it accept a sculpture entitled “One of Us on a Tricycle” by Steven Gregory for loan from the Gateway Foundation. The sculpture is proposed to be located on the northeast entry to Treetop Playground in Shaw Park (Exhibit B). The Parks & Recreation Commission discussed this at their January 5, 2015, meeting and voted 5 to 2 in favor of the placement of the piece at this location.

The loan is at no cost to the City, and the Foundation agrees to install, maintain, preserve, and insure the sculpture at its sole expense. Either party may terminate the agreement with 90-days written notice. As long as the sculpture remains in place for at least one year, removal would be at the expense of the Foundation; otherwise, it would be the City's expense. Recommendation is to approve the ordinance, authorizing the agreement.

In response to the Board's questions, Patty DeForrest explained that the art placement will be located east of the entrance to the inclusion playground. She noted that other locations were suggested, but would not work out mostly due to safety reasons. She commented also that the sculpture is not intended to be "climable".

Alderman Garnholz introduced Bill No. 6493, an ordinance to consider approving a loan agreement with the Gateway Foundation for artwork entitled "One of Us on a Tricycle" to be read for the first time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6493, An Ordinance Approving And Authorizing Execution Of A Sculpture Loan Agreement With The Gateway Foundation For Artwork Entitled "One Of Us On A Tricycle" for the first time by title only.

The motion passed unanimously on a voice vote.

Mayor Sanger moved that the Board give unanimous consent to consideration for adoption of Bill No. 6493 on the day of its introduction. Alderman Garnholz seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6493, an ordinance to consider approving a loan agreement with the Gateway Foundation for artwork entitled "One of Us on a Tricycle" to be read for the second time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6493, An Ordinance Approving And Authorizing Execution Of A Sculpture Loan Agreement With The Gateway Foundation For Artwork Entitled "One Of Us On A Tricycle" for the second time by title only.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Berger – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6367 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING A CONTRACT WITH SWT DESIGN, INC. FOR PROFESSIONAL SERVICES RELATED TO SHAW PARK NORTH

City Manager Owens reported that at the April 14, 2015, Board of Aldermen meeting a pledge agreement was approved by the Board between the Barry-Wehmiller Group, Inc. /Chapman Family Foundation/Robert H. Chapman (the "donor"), the Clayton Century Foundation (the "Foundation") and the City of Clayton (the "City") wherein the donor pledged to pay for the design, construction and maintenance of Shaw Park North, a priority project contained within the Shaw Park Master Plan Overlay. In order to begin work on this project SWT Design has submitted the attached contract (Exhibit A). Selected due to their earlier work on the Shaw Park Master Plan Overlay, they will oversee this project from conception to the completion of construction. Initially work will include three public meetings to engage the community in a dialogue about the project. Additional opportunity for public input will take place throughout the design development phase and will include presentations to the Parks and Recreation Commission as well as the Board of Aldermen.

It is anticipated that this project will take between eighteen and twenty-four months to complete. In addition to SWT Design we will be hiring a construction manager to assist with the project. A steering committee will be established to help guide the project through the design phase. This committee will be made up of members of the Parks & Recreation Commission, a representative from CCF, a representative from BWG, and staff. Members of the Board of Aldermen are welcome to attend any and all meetings of the committee. A published schedule will be made available of all public meetings to be held concerning this project. All costs associated with this contract will be paid for by CCF.

Recommendation is to approve the ordinance authorizing the execution of a contract with SWT Design, Inc. in the amount of Three Hundred Seventy-Seven Thousand Dollars (\$377,000) plus reimbursable expenses up to Seven Thousand and Fifty Dollars (\$7,050.00).

In response to Alderman Garnholz's question, Patty DeForrest clarified that the Shaw Park sign will remain and that there will be signage located at the Chapman Plaza. She noted that the signage has not been designed.

Gary Feder, Clayton Century Foundation, commented that the primary intent is that just the selected portion (at the corner) of Shaw Park will be known as Chapman Plaza.

Alderman Garnholz introduced Bill No. 6494, an ordinance to consider approving a contract with SWT Design, Inc. to be read for the first time by title only. Alderman Winings seconded.

City Attorney reads Bill No. 6494, An Ordinance Approving A Contract With SWT Design, Inc. For Professional Services Related To The Shaw Park North Improvement Project for the first time by title only.

The motion passed unanimously on a voice vote.

Mayor Sanger moved that the Board give unanimous consent to consideration for adoption of Bill No. 6494 on the day of its introduction. Alderman Garnholz seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6494, an ordinance to consider approving a contract with SWT Design, Inc. to be read for the second time by title only. Alderman Winings seconded.

City Attorney reads Bill No. 6494, An Ordinance Approving A Contract With SWT Design, Inc. For Professional Services Related To The Shaw Park North Improvement Project for the second time by title only.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Berger – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6368 of the City of Clayton.

A RESOLUTION TO CONSIDER APPROVING THE NAMING OF PRIORITY PROJECT IN THE SHAW PARK MASTER PLAN OVERLAY KNOWN AS SHAW PARK NORTH

City Manager Owens reported that the Clayton Century Foundation (CCF) submitted an application to the City Clerk (Exhibit A) requesting that, per the recently approved Pledge Agreement for Shaw Park North, the city consider naming the project "Chapman Plaza". The pledge agreement references that this recognition will be done through signage that is acceptable to the City, the CCF and the donor.

Per the Board's adopted policy on donations and naming rights, this request was forwarded to the Parks and Recreation Commission for review. The Commission considered this request at their May 4, 2015, meeting and voted unanimously in support of the application.

This request for naming falls under Section 6B of the City of Clayton Donations, Sponsorships and Facility Naming which reads *"Naming of a facility for a specific individual or corporation will only be considered if that individual or corporation has made a significant contribution to the City of Clayton. Such contribution may be in the form of outstanding civic service over a prolonged period of time or donation of substantial property or funds for the acquisition/development of the facility."* In this case, Mr. Chapman and his family as well as Barry-Wehmiller, Inc. will be donating \$7 million for the design, construction and ongoing maintenance of this project.

According to the City's Facility Naming Policy the next step is for the Mayor and Board of Aldermen to formally consider this request and take action if so determined.

Recommendation is to approve the resolution authorizing the naming of Shaw Park North, a priority project in the Shaw Park Master Plan Overlay, to be designated "Chapman Plaza".

Alderman Garnholz moved to approve Resolution No. 15-05, a request to name Shaw Park North as Chapman Plaza. Alderman Winings seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO CONSIDER APPROVING A CONTRACT WITH GRAYBAR ELECTRIC COMPANY, INC. FOR LED LIGHTING PURCHASE

City Manager Owens reported that the Public Works Department is requesting approval of a contract to purchase LED light fixtures to replace existing inefficient lighting at the 8011 Bonhomme Avenue Parking Structure and 8300 Shaw Park Drive Municipal Garage. In each case, the existing light fixtures will be removed and replaced with a LED or an energy efficient equivalent. Graybar, the City's lighting consultant, estimates energy savings resulting from these lighting replacements at \$44,600.00 annually. Graybar competitively bids distribution of lighting materials through U.S. Communities, a national government purchasing cooperative. In addition the annual savings, the Public Works Department was successful in its application for Ameren Missouri ActOnEnergy® BizSavers® incentives to help fund this project. The incentive of over \$32,000 reduces the cost of this project to the City by 11%.

The Public Works Department recommends approval of the contract with Graybar in the amount of \$247,676.14 to purchase LED light fixtures to replace existing inefficient lighting at the 8011 Bonhomme Avenue Parking Structure and 8300 Shaw Park Drive Municipal Garage. In addition to the contract amount, the Public Works Department requests authorization is granted to the City Manager or his designated representative to approve change orders in an amount not to exceed \$10,000, which is approximately 4% of the contract. This contingency would be used to cover expenditures to correct unknown site issues that become apparent during the project.

Alderman Winings recused himself from the meeting.

In response to the Board's questions, Janet Watson stated that the cost was included in the approved first quarter budget amendment.

Dale Houdeshell stated that the location is at 8011 Bonhomme and the Public Works garages. He also explained that with Ameren incentives the City will save drastically.

Alderman Garnholz introduced Bill No. 6495, an ordinance to consider approving a contract with Graybar Electric Company, LLC for LED Lighting Purchase to be read for the first time by title only. Alderman Berger seconded.

City Attorney O'Keefe reads Bill No. 6495, An Ordinance Approving A Contract With Graybar Electric Company, Inc. for Led Lighting Purchase for the first time by title only.

The motion passed unanimously on a voice vote.

Mayor Sanger moved that the Board give unanimous consent to consideration for adoption of Bill No. 6495 on the day of its introduction. Alderman Garnholz seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6495, an ordinance to consider approving a contract with Graybar Electric Company, LLC for LED Lighting Purchase to be read for the second time by title only. Alderman Berger seconded.

City Attorney O'Keefe reads Bill No. 6495, An Ordinance Approving a Contract With Graybar Electric Company, Inc. for Led Lighting Purchase for the second time by title only.

Alderman Garnholz – Aye; Alderman Berger – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6369 of the City of Clayton.

Alderman Winings rejoined the Board.

MOTION TO APPROVE THE ALDERMANIC COMMITTEE ASSIGNMENTS

City Manager Owens reviewed the recommended aldermanic committee assignments.

Alderman Garnholz moved to approve the aldermanic committee assignments. Alderman Winings seconded.

The motion passed unanimously on a voice vote.

Other

Alderman Garnholz reported on the Parks & Recreation Commission:

- Jenaro Centeno has joined the Commission as the new Board of Education representative;
- The Newman Green project is moving forward;
- The Hanley House painting project has started; Hanley House is now open on weekends;
- Shaw Park pool is ready

Alderman Winings reported on the Plan Commission:

- Opus Development project was approved;
- Zoning request for Maryland Schools project was denied and ARB postponed review until the June 1 meeting

Alderman Berger reported on the NUERF and UERF Boards:

- Fortunate to have a positive on the percentage return;

- Introduced to the new actuary

Alderman Berger commented that Mark-Terry Schnuck, resident of Clayton, who is very involved in the arts and is part of a team of investors and producers whose Broadway play has been nominated for five Tony Awards.

Alderman Berkowitz moved that the Board adjourn to a closed meeting, with a closed vote and record, as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, and to discuss matters related to negotiation of a contract pursuant to Section 610.021(12), RSMo. and/or proprietary information pursuant to Sec. 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO. Alderman Boulton seconded the motion.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Berger – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye.

There being no further regular business the meeting was adjourned at 8:25 p.m.

Mayor

ATTEST:

City Clerk